

JC10 Rec'd PCT/PTQ 23 MAR 2005

FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NO. NL 031165
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. Application No. (if known, see 37 CFR 1.5) <b>10/528934</b>
INTERNATIONAL APPLICATION NO. PCT/IB2003/004189	INTERNATIONAL FILING DATE September 25, 2003	PRIORITY DATE CLAIMED September 26, 2002
TITLE OF INVENTION APPARATUS FOR RECORDING A MAIN FILE AND AUXILIARY FILES IN A TRACK ON A RECORD CARRIER		
APPLICANT(S) FOR DO/EO/US Decian Patrick KELLY; Wilhelmus Jacobus VAN GESTEL		
<p>Applicant(s) herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li><input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li><input checked="" type="checkbox"/> copy of the International Application as filed (35 U.S.C. 371 (c)(2))             <ol style="list-style-type: none"> <li><input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input checked="" type="checkbox"/> has been transmitted by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2))</li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li><input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> have been transmitted by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> A translation of the amendment to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> A translation of the annexes to the international Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p>Items 11. to 16. below concern document(s) or information included:</p> <ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li><input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</li> <li><input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND OR SUBSEQUENT preliminary amendment.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input checked="" type="checkbox"/> Other items or information:             <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Power of Attorney to Prosecute Application Before the USPTO [PTO/SB/80]</li> <li><input checked="" type="checkbox"/> Statement under 37 CFR 3.73(b) [PTO/SB/96]</li> <li><input checked="" type="checkbox"/> Authorization Pursuant to 37 CFR § 1.136(a)(3) and to Charge Deposit Account</li> </ul> </li> </ol>		

CERTIFICATE OF MAILING


[X] Express Mail Mailing Label No. **EV664852254-US**

Date of Deposit **3-23-05**

I hereby certify that this paper and fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Jeanne Rusciano  
Typed Name

Jeanne Rusciano  
Signature

U.S. APPLICATION NO. <b>10/528934</b> <small>(Not known, see 37 C.F.R. 1.5)</small>		INTERNATIONAL APPLICATION NO. PCT /IB2003/004189		ATTORNEY'S DOCKET NUMBER NL 031165	
17 [ X ] The following fees are submitted: <b>BASIC NATIONAL FEE (37 C.F.R. 1.492(A)(1)-(5)):</b> Search Report has been prepared by the EPO or JPO \$1000.00 International preliminary-examination fee paid to USPTO (37 C.F.R. 1.482) \$690.00 No international preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but international search fee paid to USPTO (37 C.F.R. 1.445(a)(2)) \$750.00 Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO \$970.00 International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$ 96.00 ENTER APPROPRIATE BASIC FEE AMOUNT = \$ 1000.00				CALCULATIONS (PTO USE ONLY)	
Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	10 - 20 =	0	X \$ 50.00	\$ 0.00	
Independent claims	3 - 3 =	0	X \$ 200.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIMS (if applicable)			+ \$ 360.00	\$ 360.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 360.00	
Reductions by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 C.F.R. 1.9, 1.27, 1.28)				\$	
SUBTOTAL =				\$ 1360.00	
Processing fee of \$130.00 for furnishing the English translation later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$ 1360.00	
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property				\$ 40.00	
TOTAL FEES ENCLOSED =				\$ 1400.00	
				Amount to be Refunded	\$
				Charged	\$
a. [ ] A check in the amount \$_____ to cover the above fees is enclosed. b. [ X ] Please charge my Deposit Account No. <u>14-1270</u> in the amount of \$ <u>1400.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. [ X ] The Commissioner is hereby authorized to charge any additional fee, with the exception of the Base Issue Fee, which may be required, or credit any overpayment to Deposit Account No. <u>14-1270</u> . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Corporate Patent Counsel Philips Electronics North America Corporation P.O. Box 3001 Briarcliff Manor, NY 10510					
<div style="text-align: right;">             (SIGNATURE)            Edward W. Goodman            (NAME)            28,613            (REGISTRATION NUMBER)         </div>					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

DECLAN P. KELLY et al.

NL 031165

Serial No.

Group Art Unit

Filed: CONCURRENTLY

Ex.

APPARATUS FOR RECORDING A MAIN FILE AND AUXILIARY FILES IN A TRACK  
ON A RECORD CARRIER

Commissioner for Patents  
Alexandria, VA 22313-1450

AUTHORIZATION PURSUANT TO 37 CFR §1.136(a)(3)  
AND TO CHARGE DEPOSIT ACCOUNT

Sir:

The Commissioner is hereby requested and authorized to treat any concurrent or future reply in this application requiring a petition for extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time.

Please charge any additional fees which may now or in the future be required in this application, including extension of time fees, but excluding the issue fee unless explicitly requested to do so, and credit any overpayment, to Deposit Account No. 14-1270.

Respectfully submitted,

By 

Edward W. Goodman, Reg. 28,613  
Attorney  
(914) 333-9611